

AMENDED IN SENATE MAY 1, 2003

AMENDED IN SENATE APRIL 9, 2003

SENATE BILL

No. 537

Introduced by Senator Romero

(Principal coauthor: Assembly Member Chavez)

February 20, 2003

An act to ~~amend Sections 4741, 4741.1, 4741.2, 4741.3, 4741.4, 4741.5, 4741.6, 4741.7, 4742, and 4742.1 of, and to add Section 4742.2 to, the Health and Safety Code~~ *add Section 4741.05 to the Health and Safety Code*, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

SB 537, as amended, Romero. Solid waste management: ~~county sanitation districts~~ *Los Angeles County Sanitation District*.

The County Sanitation District Act authorizes a county sanitation district to acquire, construct, and complete certain works, property, or structures necessary or convenient for sewage collection, treatment, transfer, and disposal.

~~This bill would also define refuse transfer facilities for these purposes to include, not be limited to, a waste-by-rail transfer facility for the loading of solid waste for transport by rail or for the unloading of solid waste transported by rail.~~

Existing law prohibits a district from acquiring land for or establishing and operating a refuse transfer facility or disposal facility within a city or the unincorporated area of a county until the city council, if the facility is proposed to be located in the city, or the board of supervisors of the county, if the facility is proposed to be located in

the unincorporated area of the county, has, by resolution, consented to the use of the proposed site for that purpose.

~~This bill would limit the application of that provision to a district in a county with a population of 8,000,000 or more. It would, however, require both the city council and the county board of supervisors to enact the resolution if the facility is proposed to be located in the unincorporated area of a county and within one mile of the city limits of a city.~~

Existing law requires specified procedures, such as notice, public hearings, and elections, prior to a district's acquisition of land for, or the construction or maintenance and operation of, a refuse transfer facility or a refuse disposal facility.

~~This bill would make those procedures applicable to the material expansion of a refuse transfer facility or a refuse disposal facility.~~

Existing law requires various permits for recycling of waste materials.

This bill would require that if the Los Angeles County Sanitation District requests authorization under any permit to exceed 5% beyond 4,000 tons per day of waste recycling at a material recycling facility in an unincorporated portion of Los Angeles County, that authorization may not be granted unless the city council of each of the cities located within one mile of that facility, by resolution, approves of the expansion.

This bill would make legislative findings and declarations regarding the need for special legislation.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1.—Section 4741 of the Health and Safety Code is~~
- 2 *SECTION 1. Section 4741.05 is added to the Health and*
- 3 *Safety Code, to read:*
- 4 *4741.05. (a) Notwithstanding any other provision of law, if*
- 5 *the Los Angeles County Sanitation District requests authorization*
- 6 *under any permit to exceed 5 percent beyond 4,000 tons per day*
- 7 *of waste recycling at a material recycling facility in an*
- 8 *unincorporated portion of Los Angeles County, that authorization*
- 9 *may not be granted unless the city council of each of the cities*
- 10 *located within one mile of that facility, by resolution, approves of*
- 11 *the expansion.*

1 ***(b) Nothing in this section shall be construed to impede the***
2 ***ability of the Los Angeles County Sanitation District to facilitate***
3 ***the transfer of waste by rail up to 4,000 tons per day from any***
4 ***district facility.***

5 ***SEC. 2. Due to the unique circumstances concerning the***
6 ***County of Los Angeles, the Legislature finds and declares that a***
7 ***general statute cannot be made applicable within the meaning of***
8 ***Section 16 of Article IV of the California Constitution. Therefore,***
9 ***this act is necessarily applicable only to Los Angeles County.***

10
11
12 **All matter omitted in this version of the**
13 **bill appears in the bill as amended in the**
14 **Senate April 9, 2003 (JR 11)**
15
16

